



NICHOLAS J. HUBNER
(P) 267.628.1521
(F) 215.609.1117
NHUBNER@FREIGHTLAW.NET
FREIGHTLAW.NET

April 28, 2021

Via ECF

Honorable Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

**Re: *CSX Transportation, Inc. v. Newhaven Distribution Services, Inc.*
U.S.D.C. Southern District of New York; Case No. 1:20-cv-07123
Our File No. 1326.538**

Dear Judge Nathan,

Pursuant to Fed. R. Civ. P. 6(b), L.R. 7.1(d), and the Court's Individual Rules of Practice at ¶1(D), the parties, by and through their respective counsel, respectfully move the Court for an Order modifying the current Scheduling Order (ECF No. 17) as follows:

<u>Event</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Deposition Deadline	May 14, 2021	July 23, 2021
Fact Discovery Deadline	June 21, 2021	August 23, 2021
Expert Discovery Deadline	August 5, 2021	October 5, 2021

This is the first request for an extension of time in this matter. The requested extensions will not prejudice any party. The parties mutually agree that the above requested extensions are necessary in this matter and jointly consent to extending these dates.

Respectfully Submitted,

s/ Nicholas J. Hubner
Nicholas J. Hubner
Cohen & Merrick P.C.
125 Coulter Ave., Suite 1000
Ardmore, PA 19003
Telephone: (215) 609-1110
Facsimile: (215) 609-1117
Email: nhubner@freightlaw.net
Attorneys for Plaintiff
CSX Transportation, Inc.

s/ Michael J. Mauro, Esq.
Michael J. Mauro, Esq.
Milman Labuda Law Group PLLC
3000 Marcus Ave.
Suite 3W8
Lake Success, NY 11042
Telephone: (516) 328-8899
Facsimile: (516) 328-8899
Email: michael@mllaborlaw.com
Attorneys for Defendant
Newhaven Distribution Services, Inc.